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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masahiro IWAMOTO *et al.*

Application No.: 09/902,772

Filed: July 12, 2001

For: **Cell calcification suppressing proteins
and genes of the proteins**

Group Art Unit: 1653

Examiner: Karen Cochrane Carlson, Ph.D.

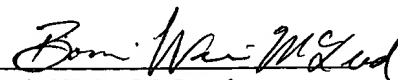
Commissioner for Patents
Washington, D.C. 20231

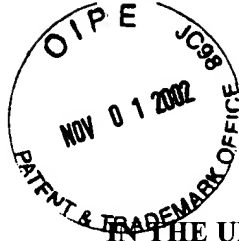
TRANSMITTAL FORM

1. Transmitted herewith is a Response to Restriction Requirement responding to the Office Action dated October 7, 2002 (Paper No. 9).
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. If Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefor.
3. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 1, 2002**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP


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ATTORNEY DOCKET NO. 46124-5001-01-0181

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masahiro IWAMOTO *et al.*

Application No.: 09/902,772

Filed: July 12, 2001

For: **Cell calcification suppressing proteins
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) Group Art Unit: 1653

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) Examiner: Karen Cochrane Carlson, Ph.D.
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Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated October 7, 2002 (paper no. 9), the period for response to which extends to November 7, 2002, Applicants hereby elect to prosecute the claims of Group II, claims 32, 34 and 36-38, drawn to polynucleotides encoding C-11.

REMARKS

The Office Action dated October 7, 2002, has been carefully reviewed and the foregoing made in response. Applicants respectfully request examination of the elected invention and the timely allowance of the pending claims.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: November 1, 2002

By:

Bonnie Weiss McLeod

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